

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

CHARLES M. STEELE, *et al.*,

Plaintiffs,

vs.

**Case No.: 2:16-cv-727
JUDGE GEORGE C. SMITH
Magistrate Judge Jolson**

WARDEN CHARLOTTE JENKINS, *et al.*,

Defendants.

ORDER

On September 1, 2016, the United States Magistrate Judge issued an *Order and Report and Recommendation* recommending that Plaintiffs Charles Steele and Jerome Royster's Motions for Leave to Proceed *In Forma Pauperis* be granted; that Plaintiffs' Complaint be dismissed; and that Plaintiffs' Motion for Temporary Restraining Order and Preliminary Injunction be denied. (*See Order and Report and Recommendation*, Doc. 6). The parties were advised of their right to object to the *Order and Report and Recommendation*. This matter is now before the Court on Plaintiff Steele's Objections to the *Order and Report and Recommendation*. (*See* Doc. 7). The Court will consider the matter *de novo*. *See* 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b)(3).

The objections present the same issues presented to and considered by the Magistrate Judge in the *Order and Report and Recommendation*. Plaintiff objects to the Magistrate Judge's conclusion that he has failed to state a claim for relief based on his allegation that Defendants infringed upon his right to access the courts. Further, Plaintiff objects to the dismissal of his claims on the Magistrate Judge's initial screen rather than Defendants seeking dismissal. The

Magistrate Judge carefully set forth the basis for conducting the initial screen of a prisoner complaint. *See* 28 U.S.C. § 1915A(a). And, the Magistrate Judge carefully considered Plaintiffs arguments regarding access to the Court. The Court agrees that there is no allegation that Mr. Royster is unable to file his own pleadings with the Court. Therefore, for the reasons stated in detail in the *Order and Report and Recommendation*, this Court finds that Plaintiff Steele's objections are without merit and are hereby **OVERRULED**.

The *Order and Report and Recommendation*, Document 6, is **ADOPTED** and **AFFIRMED**. Plaintiffs Charles Steele and Jerome Royster's Motions for Leave to Proceed *In Forma Pauperis* is **GRANTED**; Plaintiffs' Complaint is hereby **DISMISSED**; and Plaintiffs' Motion for Temporary Restraining Order and Preliminary Injunction is **DENIED**.

The Clerk shall remove Documents 2, 6, and 7 from the Court's pending motions list.
The Clerk shall terminate this case.

IT IS SO ORDERED.

/s/ George C. Smith
GEORGE C. SMITH, JUDGE
UNITED STATES DISTRICT COURT